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By

Ann F. Griffith

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

MICHAEL LEBRUN ET AL :
SERIAL NO. 08/945,144 :
FILED: OCTOBER 14, 1997 :
FOR: MUTATED 5-ENOL PYRUVYLSHIKIMATE-3-PHOSPHATE SYNTHASE, GENE CODING FOR SAID PROTEIN AND TRANSFORMED PLANTS CONTAINING SAID GENE

Assistant Commissioner for Patents
Washington, D.C. 20231

PRELIMINARY AMENDMENT

Before action in this application, please amend the application as follows:

IN THE CLAIMS:

Please cancel claims 1-18.

Please add the following new claims:

19. DNA encoding a mutated 5-enol pyruvylshikimate-3-phosphate synthase (EPSPS), the mutated EPSPS having a threonine by isoleucine substitution at position 102 and a proline by serine substitution at position 106.

20. DNA according to claim 19, which is of plant origin.

21. DNA according to claim 20, which is of maize origin.

22. A mutated 5-enol pyruvylshikimate-3-phosphate synthase (EPSPS) protein, having a threonine by isoleucine substitution at position 102 and a proline by serine substitution at position